

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WEBSTER BANK, NATIONAL ASSOCIATION,)	
)	
)	
Plaintiff)	Case No. 08 C 02494
)	
v.)	
)	
CORY CYBUL)	Hon. Virginia M. Kendall
)	
Defendant.)	

JOINT INITIAL STATUS REPORT

Plaintiff, Webster Bank, National Association, and Cory Cybul state the following as their Initial Status Report:

1. The attorneys of record for Webster Bank are Daniel Lynch and Amy J. Hansen; Daniel Lynch is expected to try the case should it reach trial. Counsel of record and trial counsel for Cory Cybul is Jeff Thut.
2. This Court has subject matter jurisdiction over this subject matter under 28 U.S.C. §1332 and 28 U.S.C. § 1348. This is a civil action between citizens of different states. The amount in controversy in this action exceeds \$75,000.00, exclusive of costs and interest.
3. The nature of the claims asserted in the complaint are: (1) breach of contract arising from non-payment of sums due under a note; (2) fraud, related to a statement made by the defendant in the loan application. No counter-claim has been filed. Defendant does not intend to file Counterclaim. Answer should be filed by July 2.
4. All parties have been served.

5. The principal legal issues are the issues going to breach of contract and establishing fraud.

6. The principal factual issues are the facts establishing breach of contract and fraud.

7. Defendant demands trial by Jury

8. No discovery has been undertaken at this point, once the Defendant answers, Plaintiff anticipates issuing Interrogatories, Requests for Admission, as well as taking the deposition of the Defendant. In addition to written discovery Defendant will depose the loan officers and processors involved in taking Defendants mortgage application.

9. The earliest date that the Plaintiff will be ready for trial is October 1, 2008; the length of the trial is expected to be less than one day. Defendant does not expect to be ready for trial until January 1, 2009.

10. The parties do not unanimously consent to proceed before the magistrate at this time.

11. There have been no settlement discussions. Settlement discussions are premature. A settlement conference is not requested at this time.

Dated: June 26, 2008

Respectfully submitted,

Webster Bank, National Association,

/s/ Amy J. Hansen (filed electronically)
By one of its attorneys

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Amy J. Hansen (Ill. Bar No. 6292957)
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Cory Cybul

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